IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

Notice of Motion No.4286 of 2006
in
Suit No.2757 of 1988

Hindustan Ciba Geigy Limited ..Plaintiffs

vs.

Canara Bank ..Defendants

Mr.Durgesh Khanapurkar i/b M/s M.K.Ambalal and co. for plaintiffs.
Mr.Rajesh Maravoor for defendants.

CORAM: S.C.DHARMADHIKARI J.
16th **July, 2007**

P.C.

1. The plaintiffs have filed this suit in the year 1988 and the copy of the plaint has been served on the defendants in 1988 itself. However, in 1989 the defendants' earlier Advocate expired and, therefore, no written statement could be filed and that is how the delay is sought to be explained and prayer is made to take the written statement on record.

2. This request is opposed by the plaintiffs. However, considering the sufficient cause shown and that that the defendant is a Bank so also public money being involved interest of justice would be subserved if the written statement is taken on record by imposing costs on the defendants. Accordingly, the notice of motion is made

absolute in terms of prayer clauses (a) and (b). Written statement is taken on record subject to payment of costs quantified at Rs.5000/- The costs to be paid to Maharashtra State Legal Services Authority within two weeks from today. Upon proof of payment of costs, Registry to take the written statement on record.

3. Notice of Motion is disposed of accordingly.

(S.C.DHARMADHIKARI J.)